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Speech of
Drake, Chas. D.
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THE WRONGS TO MISSOURI'S LOYAL PEOPLE.

SPEECH

OF

CHARLES D. DRAKE,

BEFORE THE

MASS CONVENTION AT JEFFERSON CITY, SEPTEMBER 1, 1863.

Fellow Citizens of the Convention:

I respond, without hesitation, to your invitation to address you: and as the period of our session must necessarily be brief, I will claim your attention no longer than may be necessary for a sufficient and truthful discussion of the circumstances which have led to our assembling.

Every member of this body will agree with me that those circumstances are extraordinary. From nearly thirty years' intimate acquaintance with Missouri, I am prepared to affirm that no Mass Convention of her people ever assembled under circumstances so extraordinary as those which surround us now. I congratulate you that you have the nerve and the patriotism to come from your distant homes, to show the world that you are able and willing to meet like men the exigency which is upon you.

We are loyal Union men, without any qualification or conditions; and we are, and are not afraid to declare that we are, RADICALS. That is, we are for going to the *root* of the infamous rebellion which has distracted our land for more than two years, and are for destroying that as well as the rebellion. That root is *the institution of* SLAVERY. From it the rebellion sprang, by it has been sustained, in it lives, and with it will die. And until that root is pulled up and destroyed, there is no hope of permanent peace in our country. Therefore I am for pulling it up, every fibre of it. And that is what I understand it is to be a RADICAL. By that I stand or all. The position is one which necessarily admits of no compromise. It is Country or Slavery; and he is a traitor who will compromise between them.

This, in a few words, is what I hold to be our character and position here to-day. I am not afraid to go before the world upon it. I should despise myself, if I took any other. It follows that I am for using every legitimate means to destroy the rebellion, and to crush down, wipe out, and utterly annihilate every development, form, and hue of disloyalty. I would pursue disloyalty through all its infinite turnings and twistings, and hunt it down, ferret it out, and drive it forth, till throughout our State and our land no disloyal hand should be raised, nor disloyal tongue speak, against our glorious Union.

It follows, further, that I uphold the Proclamation of Emancipation issued by President Lincoln on the 1st of January, 1863. I believe that Proclamation to have been a Constitutional exercise of the war power of the Commander-in-Chief of the Army and Navy of the United States, against public enemies. Were they foreign enemies, no American would question his right to strike at their main support: I affirm his right to strike at any and every support of our domestic enemies—the worse, by far, of the two. And it was a righteous exercise of his power. Slavery assailed the nation of which he was the head, and he was bound to assail Slavery in turn, even to its very death. And I hold that his Proclamation did, in law, free every slave in all the region it covered, on the

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very day it was issued. Not one of them has been lawfully held in slavery since that day; nor can one of them, in my opinion, ever be lawfully enslaved again. The Proclamation is irrevocable—as irrevocable as death. No attempt at its revocation can ever make slaves again of those it made free. I accept and uphold it as the end of Slavery in the rebellious States, and I demand its enforcement there by the whole warlike power of the loyal people of the nation, as the only means of restoring abiding peace to our bleeding country.

And holding it right to use every lawful means to overwhelm rebellion, I rejoice that the President is enrolling among our country's armed hosts those whom his proclamation freed. I have no squeamishness about arming the negro. I am no half-breed Unionist, sensitive about seeing white men fight alongside of the "American citizen of African descent." No traitor is too good to be killed by a negro, nor has any traitor a right to insist on being killed by a white man. If for the sake of Slavery he turns traitor, let former slaves be his executioners; it is a just and fit retribution. Disaffection, if not disloyalty, lurks in him who opposes the arming of the negro, let him call himself what he may. For my part, I say to the President, *Go on in this good work, till the army of blacks shall be large enough to hold every rebel in subjection;* and then rebellion is at an end for ever and ever in this land.

I have been thus plain in the expression of these views, because I believe them to be the views heartily entertained by the entire body of the Radical Union men of Missouri. I do not believe there is one such man in our State who does not hold them, and who is not determined to stand by them. They spring from the deepest convictions of stern duty to our country and to the cause of Liberty. With him who opposes them we have nothing to do but to oppose him, and by all rightful means overthrow and put him down. And that, my friends, is just the work which the Radicals of Missouri have before them.

To us are opposed a portion of the people of Missouri, who style themselves *Conservatives.* And who are they? Let the plain truth be spoken. *They embrace all the disloyal.* Every rebel in the State is with them. Every open or secret secessionist is with them. Every guerrilla and bushwhacker is with them. Every Copperhead is with them. Every man who opposes the radical policy of the Government against the rebellion is with them. Every man who is under bond for disloyal practices or sentiments, is with them. Every sympathizer with the rebellion is with them. Almost every pro-Slavery man is with them. And nine-tenths of the slaveholders, I believe, are with them. And along with this motley gang of open enemies to, or faint-hearted friends of, the Union cause, are associated just enough of real Union men to save the concern from going down instantly under the weight of its inherent and envenomed disloyalty. Nothing keeps that party alive this day but the presence of those Union men in its ranks, *and the concentration of official patronage and influence, State and National, in their hands.* They are the sugar-coat to the poison-pill which is sought to be administered to the people of Missouri. They alone give character to Conservatism in Missouri. They have suffered themselves to be identified with that class of our population, which would drag Missouri out of the Union in a moment, if they could; and they are supported and urged on by every man in the State whose hand or heart has been or is against his country. I profoundly regret that any of them should ever have been found in such company; but they are there, and must share the fate which surely awaits every disloyal man, whenever Missouri's loyal people can once have access to the ballot-box.

Such, my fellow-citizens, is what you and I know to be the position of parties in Missouri this day. It is not a matter of conjecture or supposition; we *know* it. We know that throughout this whole State there is not one single disloyal man in the Radical ranks. We know that every disloyal man in the State is a Conservative. We know, and desire the whole world to know, that the struggle now going on here, though ostensibly connected with the subject of Emancipation, is, in reality, *between Loyalty and Disloyalty.* The Union cause is at stake again, and the result will determine whether the destiny of this great commonwealth is to remain in the hands of its loyal people. For one, I will struggle, against all odds, in every lawful way, and to the last available moment, before I will yield the control of Missouri to her traitorous inhabitants. No such disgrace and disaster shall befall her, if in my power to prevent it.

As, from the moment of the outbreak of the rebellion, the spirit of shameless lying has characterized those engaged in it, and those who are with it in heart, so now the main weapon of the Conservatives of Missouri against the Radicals is atrocious and persistent falsehood. We are charged, as a body, with purposes which we have never expressed or entertained. A strenuous effort has been made, upon the basis of false and wholly groundless imputations, to build up in opposition to us a so-called "Law and Order party;" and "Law and

Order meetings" have been held in some counties, at which the Radical Union men have been denounced in the same category with rebels and bushwhackers. We have been stigmatized as "Jacobins;" as "revolutionary factionists;" as "engaged in schemes looking to revolution and violence;" as "in rebellion against the Union and the Constitution;" as "attempting to overthrow the State Government;" as "the party of commotion, and violence, and crime, and anarchy, and disregard of all law:" and "men of all parties, who are in favor of preserving the peace of the State, of enforcing the laws, and protecting citizens from violations of the laws," are invited to attend "Law and Order meetings;" where the "erring brother" returned from "Price's army," the bushwhacker, the secessionist, the Copperhead and the "Southern sympathizer" skulk in, to help men claiming loyalty pass resolutions defaming and denouncing the Radical Union men of Missouri! It is the old game of the pursued thief crying "stop thief!" There is but one way to meet it, and I have so met it wherever I have spoken in this State. I say here, in the capitol of the State, as I have repeatedly said elsewhere, that whoever, directly or by implication, in speech, in writing, or in print, charges upon the Radical Union party of Missouri any intent of revolutionary violence or unlawful act, utters an atrocious *lie*. I like not to use that word in a public address; but the circumstances, in my opinion, demand it. The true Union men of Missouri have suffered enough of outrage and defamation at the hands of her disloyal people. We ought not quietly to submit any longer to be branded as unfaithful to our obligations as law-abiding and patriotic citizens. We are in heart and soul loyal to our country, to law, to duty, to honor, and to truth: and that is infinitely more than he who has been, in fact or in feeling, with this hell-born rebellion, can say, or in his conscience—if he has any—would dare to say he is.

My friends, that there is excitement among the loyal people of Missouri cannot be denied. The presence here to-day of this large Mass Convention, from every part of the State, affirms it. And there is cause for excitement. The loyal inhabitants of this ill-fated State have suffered more than those of any other State that has adhered to the Union. They have endured every form of aggravated and unmerited wrong. Loyalty to the Constitution and the Union has brought bitterness to them. Their property has been wrested from them by pillaging bands of traitors; their habitations have been given to the flames; they have been murdered in cold blood; and they have been disarmed by the authorities in whose support they were ready and willing to do all and venture all; thereby becoming an easier prey to the blood-thirsty fiends that infest wide districts of our State. Surrounded by treachery the most adroit and cruel; beset by devilish marauders, whose appearance they know not when or where to guard against; trembling by day and by night for their possessions and their families; worn and wasted by robbery, arson, and every outrage; and apparently given over utterly in many places to the grasp of the guerrilla and the bushwhacker; they are, in large portions of the State, harassed, impoverished, and overborne by accumulated calamity, beyond any conception of those who only read the meagre reports which find their way into the public journals of the day. Is it a marvel that they are excited? Would it not be wonderful if they were not? What other people ever endured so much without excitement? Shall men sit quietly down and with indifference see themselves despoiled, beggared, and driven forth as fugitives from their homes? Have we got to that point when fathers can look with stoicism upon the slaying of their sons, and wives upon the murder of their husbands? If we have, then has the time come when popular excitement should be put down, as detrimental to the body politic. But that point is not yet reached. Our hearts are not yet callous to our own miseries, or to those of others. We are not able to see why such full, heaping measure of wrong should be dealt out to loyal people, while the disloyal eat and drink and sleep and work and journey in peace and safety. We do not comprehend why protection should be so fully accorded, as we know it to be, to men of known disloyalty, while the loyal citizen is not only not protected, but has been required to forego his Constitutional right to bear arms, and to surrender to the military power the weapons upon which alone he could depend for protecting himself, his family, and his property. We do not understand why military officers who pursued the miscreants of blood and plunder with an energy that threatened their extermination, should, without a word of explanation, be relieved of their commands, or mustered out of service, in the midst of their career, and succeeded by men under whose administration the work of spoliation and blood is plied with renewed vigor and success. We do not see why large numbers of men—or indeed any—who at the onset of the rebellion were outspoken and offensive Secessionists, should be appointed to high military positions under the State Government, while men always and unconditionally for the Union are refused such positions, or thrust from them.

We do not perceive why men of thorough and consistent loyalty should be arrested and imprisoned by the military authorities, for no assigned cause, or for so small a cause as questioning the wisdom and purity of Governor Gamble's administration and policy; and we resent such arrests, and ought to resent them. And least of all do we comprehend why the earnest and beseeching appeals of Missouri's loyal and suffering people to the head of the nation for protection, should, apparently, be intercepted or neutralized, and he be made to believe that they proceed from a "pestilent faction," whose aim is to "torment" him. It is because of all these things that there is excitement among the loyal people of Missouri; and I say that they would deserve to suffer on, if they were not excited. But it is not an excitement which threatens or looks to any lawless or reckless proceeding. It asks only redress for incalculable evils, by lawful means; and this Convention is one of the means it takes to make itself heard and felt in quarters where, to hear and feel it, may remove or mitigate the sore trials under which our people have suffered. God grant that those in power may give heed to the voice of Missouri's loyal people, before that burden becomes intolerable!

But not in these matters alone, bitter and hard to be borne as they are, have the loyal Union people of Missouri been wronged. While conservative policy has left them to be pillaged and murdered, it has gathered its strength and put forth its hand to wrest from them their rightful control in the affairs of Missouri, and to shape the fundamental law and the organic institutions of our State, *according to the behests of her disloyal people*. A coalition has been formed to overthrow the Radical Union party, and deliver the State over to the dominion of that Conservative party, which contains all the disloyalty of Missouri. At the head of that coalition is Governor Gamble; and he is sustained in it by almost every Federal office-holder of any note in the State; by a host of State officers appointed by himself to positions of high importance, civil and military; and by an army of politicians, who are seeking their own advancement, and know that from the Radical Union men of Missouri they have nothing to hope. No such combination has anywhere been made against the loyal people of any loyal State. It is the great feature of the day in Missouri. It is known to every observing man in the State, and it attracts the attention of the country. I wish to portray its course of wrong to Missouri's loyal people. I will do it plainly, fairly, and thoroughly; for I deem it of the greatest moment that, in this State and throughout the loyal States, the position of our affairs, and that of the men who have wronged that people, should be clearly understood. I will endeavor to present a historical summary of the leading facts, in such simple and connected form, that no man can fail to comprehend the whole matter.

The point at which I begin is the accession of Governor Gamble to the Provisional Chief Magistracy of Missouri, on the 31st of July, 1861; for from that time the course of public affairs in this State has connected itself directly with the circumstances of the present period. His first public declaration as Governor was significant of his own opinions and feelings, and of those of the people he was appointed to govern. On the 4th of August, 1861, he issued a proclamation to that people, in which, referring to his appointment, he said it "*would satisfy all that no countenance would be afforded to any scheme or any conduct calculated in any degree to interfere with the institution of Slavery existing in the State, and that to the utmost extent of Executive power that institution would be protected.*" Concerning this remarkable declaration two things are apparent: *first*, that Governor Gamble was then, and desired it to be known that he was, a pro-Slavery man, and intended to be a pro-Slavery Governor; and *second*, that he believed the people of Missouri to be a pro-Slavery people; as, in my opinion, a large majority—perhaps seven-eighths—of them then were. This proclamation is the first point to be borne in mind; for it assumes importance in connection with subsequent events.

The sentiments of the people of Missouri in regard to the institution of Slavery underwent a radical change, not many months after that proclamation was issued. They came, by slow but sure degrees, to understand that this rebellion had but one origin and purpose—the aggrandizement of Slavery as a political power, the destruction of the noble Republic inherited from our fathers, and the substitution for it in the South of a great and strange Empire, based on Slavery, and intended for subjugation, piracy, and eventual dominion over this whole continent. When they saw it announced authoritatively by the parties engaged in the work of founding that empire, that they were only consummating what had been in conspiracy for forty years; when they saw that for Slavery the Southern aristocrats were striving to overturn the liberties of the American people, disrupt their Union, and destroy their Constitution; when they perceived that the success of this unexampled and incomparable scheme of outrage, fraud, perjury, and treason, would plunge this nation into perpetual war, and that as long

as Missouri should be a slave State, she would be one of the chief victims of that war; when, I say, all these things became manifest to the loyal people of Missouri, a mighty revolution in their opinions concerning Slavery began, and from month to month moved on with tremendous rapidity and force. Never, I will venture to affirm, was there witnessed in this country so marked and swift a revolution of public sentiment in regard to so important a matter. And it was all the more glorious, because it sprang from a glowing and vital patriotism, which rejoiced in any sacrifice of opinion or interest in so holy a cause. While Southern traitors were demanding the emancipation of Slavery from contact with the free institutions of the North, the loyal people of Missouri demanded her emancipation from contact with that institution, which they recognized as aiming fatal blows at all they loved in country, all they cherished in memory, and all they clung to in hope for themselves and their posterity.

The tendency of the public mind to the removal of Slavery from Missouri received a decided impulse in April, 1862, in consequence of the passage by Congress, upon the recommendation of the President, of a resolution, declaring "that the United States ought to co-operate with any State which may adopt gradual abolishment of Slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system." The great obstacle to Emancipation in Missouri was the provision in her Constitution, prohibiting the Legislature from passing any law "for the emancipation of slaves, without the consent of their owners, or without paying them, before such emancipation, a full equivalent for such slaves so emancipated." As such compensation from our own resources was an impossibility, the resolution of Congress held out the hope of its coming from the National treasury, and the feeling in favor of Emancipation received therefrom increased force and extension.

With the loyal sentiment of Missouri in this transition state from decided pro-Slaveryism to radical anti-Slaveryism, the State Convention assembled on the 2d of June, 1862, on the call of the Governor. On the 7th of that month, Judge Breckinridge introduced into that body an Ordinance proposing a plan of gradual Emancipation, to be submitted to the people for their ratification or rejection, on the first Monday of August, 1864, and supported it in a speech; at the close of which, on motion of Judge Hall, of Randolph, the Ordinance was laid on the table, by a vote of 52 to 19; and, to use a well-known and significant expression, exultingly applied, at the time, to the act, Emancipation was "*killed at the first pop.*" The Convention thereby pronounced itself opposed to Emancipation. It was a pro-Slavery body, and of course intolerant. It would hear no more on the subject than what Judge Breckinridge had a parliamentary right to urge, and having heard that, it was prepared to consign his proposition, and did consign it, to a tomb from which there should be no resurrection.

Six days after this act of the Convention, on the 13th of June, Governor Gamble sent a message to that body, relating entirely to its action on Judge Breckinridge's Ordinance. He saw that that action "might be represented as rudely discourteous to the President and Congress," and "would, without doubt, be so misrepresented as to excite a hostile feeling to the State, among all those in authority who favor Emancipation, and thus *injuriously affect the interests of the State.*" The object of that message, manifest upon its face, was to tell the members of the Convention how they might get out of the twofold scrape they had got into, with the National Government and with their own people. Not a word indicated the least sympathy with Emancipation; not a word took off the keen edge of the pro-Slavery proclamation of August, 1861. The Governor was still Missouri's pro-Slavery Governor. Eighteen months of Slavery's war upon the Union had, apparently, implanted in his mind no sentiment against the peculiar institution, here or elsewhere; his sole anxiety was, that there should be "no appearance of a design to treat the offer of the President and Congress with neglect." He suggested, and most truly, that "it was not contemplated by the people, when electing the body, that it should *ever* act upon the subject of Slavery in the State, and therefore such action would be improper;" a reason as valid for all future time, as then. He suggested further, that "the public mind was so agitated already, that the proposal of any scheme of Emancipation would produce dangerous excitement;" a reason for non-action fully as forcible in June, 1863, as in June, 1862. These suggestions he accompanied with the following remarks:

"In theory, Conventions are understood to possess all political power, but in actual practice they confine themselves to the measures upon which the people at the time of their election expected them to act. When this Convention was chosen, the subject before the public mind was the relations between the State and the general Government. Acting upon this subject, the Convention deposed a Governor and Legislature, because they were trying to disturb those relations; militia ordinances were adopted, because a military force was necessary to maintain those relations; the offices of all persons

who refused to take an oath of allegiance were vacated, because official power in the hands of disloyal persons might be employed to disturb such relations; laws were vacated, because they had been passed for the purpose of bringing on a collision with the general Government—in fine, the action of the Convention has been mainly addressed to the one subject which it was elected to consider, and to those which arose out of it.

"When, then, it is asked to entertain a proposition, which is to effect a radical change in the social organization of the State, it is well warranted in declining to act upon the proposition, upon the ground that the people, in choosing the Convention, never intended or imagined that the body would undertake any social revolution wholly unconnected with the relations between the State and the general Government. No person who understands the principles of our Government would object to such action, unless it be one who is willing to disregard all principle to accomplish a desired end."

As I have said on former occasions, so I reiterate now, that this language embodies and affirms the following five propositions:

1. That Emancipation is a social revolution.

2. That it is wholly unconnected with the relations between the State and the general Government.

3. That the people, in choosing the Convention, *never intended or imagined* that it would undertake to act on the subject of Emancipation.

4. That, therefore, the Convention was well warranted in declining to act upon it.

5. That whoever, understanding the principles of our Government, would object to the Convention's so declining to act, is willing *to disregard all principle* to accomplish a desired end.

No grounds could have been assumed more fatal to the propriety or expediency of any action by *that* Convention, at any time, upon the subject of Emancipation. We shall see, as we proceed, how the Governor maintained his own voluntarily-assumed position.

There is a very striking fact disclosed by the Journal of the Convention in connection with the paragraphs just quoted from the Governor's message. The Convention, acting upon his suggestion, proceeded to consider how it should respond to the resolution of Congress. A committee was appointed, which reported a preamble and resolutions. Lieutenant Governor HALL offered, as a substitute for the report of the committee, a preamble and a resolution, the latter of which was as follows:

"*Resolved*, That while this Convention recognizes the liberality of the Government of the United States in the action referred to, yet the Convention thinks it should not act upon the subject of Emancipation, for the following among other reasons."

The resolution then copies, word for word, the paragraphs of the Governor's message above cited, except the first and last sentences. On the vote upon the adoption of that substitute, every member who voted for it declared himself emphatically as sustaining the Governor's objections to *any* action by *that* Convention, at any time, on the subject of Emancipation. And yet, one year afterward, Lieut. Gov. Hall was one of the committee that reported an Ordinance of Emancipation for that body to pass; and fifteen of those who voted for his resolution in June, 1862, changed front in June, 1863, and voted for the ordinance then passed by that Convention!

Having seemingly given a death-blow to Emancipation in that body, the Convention adjourned to the 4th day of July, 1863, when, without re-assembling, it was to stand adjourned *sine die*. It declared its work done, and each man went his way, never expecting to return. But the door was left open for the re-assembling of the body, upon the call of the Governor. One man held the power to reinstate at any moment the rule of that Convention; and we shall see how he exercised it.

Five months after the Convention's action upon Judge Breckinridge's proposition, an election was held for members of the General Assembly. They were months of steady and rapid progress in the popular mind in favor of Emancipation. Every day the loyal people of Missouri grew more radical in sentiment against Slavery, their country's enemy. Missouri's Emancipation army was "marching on." The election resulted in the choice of a decided majority of Emancipationists in each House; but unfortunately, *mainly through the machinations of Federal office-holders, high in position in our State*, differences of opinion as to plans of Emancipation were created. The Legislature met on the 29th of December, 1862, and on the following day received the Governor's message. To the surprise of many who remembered his proclamation of August, 1861, and his message to the Convention in June, 1862, he declared himself in favor of Emancipation, and recommended action by the Legislature in relation to it. But he felt the embarrassment produced by the Constitutional limitation upon the power of the Legislature, before referred to. As it was impossible for the State, unaided, to pay any such equivalent for the slaves emancipated as that provision required, the Governor recommended that an act should be passed, providing that the children of slave women, born thereafter, should be born free, and should remain in the custody and under the control of the owner of their mothers until attaining a certain age; which plan, he

considered, would require no compensation to be paid to the slaveholder but for "*the diminished value of the female slaves thus rendered incapable of bearing slaves.*" And such an act, so utterly impotent to remove Slavery from our soil,—for, standing by itself, it would never have secured freedom to one-tenth of the children born after its passage,—he intimated might be made to take effect, upon provision being made by Congress for the small amount of compensation required!

This was gravely proposed by Governor Gamble as a plan of Emancipation; proposed as an "effectual mode of extinguishing the desire of the rebel leaders to have this State within the pretended Confederacy;" proposed as a means of "encouraging immigration from the free States!" It would have been about equal in its effects to dropping a homeopathic pill into the proboscis of a sick elephant. I refer to it, because it is a fact connected with the wrong done to the loyal people of Missouri, which is to be exposed.

The Legislature sat from the 29th of December, 1862, to the 23d of March, 1863, and then adjourned over to the 10th of November next, having done nothing to advance the cause of Emancipation. On the 18th of March, the Senate, by a vote of 17 to 15, passed a Concurrent Resolution, requesting the Governor to call the Convention together at an early period, for the purpose of taking into consideration the subject of Emancipation; every Conservative voting for it, and, aided by two Radicals, passing it. *No attempt was ever made to take up this resolution in the House*, nor could any such attempt have been successful. On the same day, the Senate passed a bill for the election of a new Convention, provided the old Convention did not, before the succeeding first of July, adopt a scheme of Emancipation. Two attempts were made to get this bill up in the House; but it required a two-thirds vote to suspend the rules; and each time the effort failed by a single vote. And with both resolution and bill thus pending in the House, and open for action when the Legislature should re-convene in November, the adjournment took place. But let it not be supposed that the effort in the House to get the bill up, indicated any desire among the Emancipationists there to pass it in the shape in which it came from the Senate. On the contrary, it was perfectly understood that if it had been got up, the provision referring to the old Convention would have been certainly struck out.

The facts which I have thus stated in detail are all necessary to a correct understanding of the case. Let us now examine their bearings upon the main point—the wrong done to the loyal people of Missouri.

I have placed before you Governor Gamble's message to the Convention in June, 1862, and his message to the Legislature in the following December; and how does the matter stand? Why, thus. In his judgment, at the former period, the Convention had no business to act upon Emancipation at all, because the people, in choosing it, never intended or imagined it would undertake to act upon that that subject; and therefore the Convention was well warranted in killing Judge Breckinridge's Ordinance; and no one would find fault with it for so doing, unless he was *willing to disregard all principle*. So much for the Convention. Then, as to the Legislature, he finds that it is hampered by a Constitutional provision, which precluded any action on its part, except to declare after-born children of slave mothers to be born free; and that action was suggested to take effect only when Congress should provide the means for paying the owners of the mothers for the injury resulting to them from making the mothers incapable of breeding any more slaves. Here, then, was a Governor declaring himself in favor of Emancipation, and arguing in favor of it to a Legislature that was in favor of it, but almost powerless to do anything for it, which Legislature represented a people that were overwhelmingly in favor of it: what was the course he should have taken? Can any right-minded man hesitate in declaring that, if the Governor was earnestly an Emancipationist, he should and would have pointed the Legislature to some way by which the popular will might be carried into effect? As matters then stood he found the way blocked; why did he ignore the only way that lay wide open—*a direct appeal to* THE PEOPLE, *in the election of a new Convention?*

This is no idle question. Every man knows that he can often judge another as well by what he does not, as by what he does. If a man is drowning, and you do not throw a rope to him when you have one, because you have tried to save him by your hand and failed, would not all the world say, and say justly, that you were indifferent to his fate, or wanted him to drown? And so, when Governor Gamble recommended Emancipation to the Legislature which was powerless, and also held that the Convention ought not to act upon the subject, because it was not elected for any such purpose, and at the same time said not one word in favor of, or in allusion to, that other course which, if pursued, would have secured Emancipation, and secured it as the people desired it, and so settled the matter forever; I demand, and have a right to

demand, why he preserved that silence? Will it be said it was not his province? He is required by the Constitution of the State to "recommend to their consideration such measures as he may deem necessary and expedient." Will it be said it was not proper for him to suggest that particular mode of action? Why not? He could suggest to the Convention excuses and arguments to sustain their action on Judge Breckinridge's Ordinance; and he could suggest Emancipation to the General Assembly, and argue in favor of it; why not suggest and support the only means of obtaining Emancipation in such way as to satisfy the people? Will it be said that he could not have known that a recommendation from him on that point would have helped the measure? He had no right, for that reason, to withhold it, any more than to refuse to recommend any other measure, because he did'nt know whether it would be adopted. But nothing is more certain, than that, *if he had advocated a new Convention, an act providing for it would have been passed.* But here came in a bugbear, that was paraded, during the whole session of the Legislature, to defeat the bill for a new Convention, viz: that if a new Convention should be called, there might arise a conflict between it and the old Convention. But that was impossible, unless Governor Gamble, after the new Convention was authorized, should call the old one together again; for it never could meet again, except upon *his* call. And so it was perfectly in his power to have procured a new Convention, and also to have prevented the re-assembling of the old one. Why did he not so do? I cannot say upon his authority, for he has never told me, or, so far as I know, told the world. I am forced to conclusions upon the facts as they are known to the public. If my conclusions are unjust to Governor Gamble, I am sorry for it; I do not *seek* them. I say, citizens of Missouri, that I can see no other reason for his utter silence in regard to a new Convention, than that he did not intend that the people should have any further opportunity to say or do anything whatever, practically, on the subject of Emancipation. In other words, *he determined, if possible, to wrest the whole matter out of their hands, and force Emancipation upon them through the old Convention*, regardless of their wishes, and in defiance of their sacred right to shape their own fundamental law and their own domestic institutions. This is the only conclusion I can arrive at, and, before God, I believe it to be a right one.

That it was Governor Gamble's purpose so to use the old Convention, is manifest from subsequent events. The Legislature adjourned on the 23d of March, 1863, and on the 15th of April he issued his call for the Convention to meet on the 15th of June, to "consult and act upon the subject of Emancipation of slaves, and such other matters as may be connected with the peace and prosperity of the State." In his judgment, it was "of the highest importance to the interest of the State that some scheme of Emancipation should be adopted."

My friends, looking at this act of the Governor in the light of his previous declarations, and of the then condition of things in the State, I cannot but regard it as one of the most extraordinary exercises of Executive power that have ever fallen under my observation; and as indefensible as it was extraordinary. Why, look at it. Only ten months and two days before the date of that call, he had solemnly declared to the Convention, that the people, in choosing that body, never intended or—mark the word—*imagined* that it would undertake to act on the subject of Emancipation; and now he calls them to do that very thing! He had told the Convention, moreover, that it was justified in killing an Ordinance of Emancipation in the way it did, and yet he calls it together to pass such an Ordinance. He had, with a severity of expression unusual for him, declared, in effect, that no man of principle would have that Convention act on that subject; and yet he convenes it for that very purpose! What does this mean? Was it the same man speaking in June, 1862, in condemnation of any action by that Convention upon that subject, who, in April, 1863, called them to act upon it? Yes, it was the same Governor Gamble in body, but unfortunately not in mind. A change, a wondrous change, had come over his opinions in that brief time. He no longer saw that it was wrong for that Convention to take Emancipation in hand and act upon it, but contrariwise saw it was right; *though the grounds upon which he based his previous opinion remained precisely the same.* He no longer held that any man who wanted it so to act was an unprincipled man; for he wanted that very thing. He saw no more that Emancipation was a social revolution, wholly unconnected with the relations between the State and the general Government, which the people, in choosing that Convention, never dreamed it would undertake. And, above all, he forgot that for such a body, so elected, to assume to act upon such a subject, was a grievous wrong to a people who were at that very time represented by another set of men, in their General Assembly; who had been elected twenty-one months after the Convention, and actually had pending before them propositions looking to a settlement of the whole matter by a new

Convention, to be elected for that express end.

It is due to Governor Gamble, and to the cause of truth and fair discussion, that I should take time and space to present whatever grounds I find anywhere taken by him in defense of his recall of that Convention, as it were, from the brink of its grave. He has twice expressed himself in relation to that matter; *first*, in his message to the Convention, at the opening of the late session; and *secondly*, in a speech he made in the Convention on the 27th of June. In his message he used the following language:

"The importance of the subject, [Emancipation,] in its relation to all the interests of the State, demanded, in my judgment, very speedy action by a body capable of finally disposing of it, by the adoption of some wise and just scheme of Emancipation. The Senate passed a joint resolution requesting me to call the Convention together, and also a bill for the election of delegates to a new Convention, provided your body should not, before the first day of July next, adopt a scheme of Emancipation. Although neither of these measures was acted upon in the House of Representatives, yet the friends of Emancipation in the House exhibited the greatest earnestness in endeavoring to have the bill which came from the Senate acted upon by the House, and were only foiled by the application of stringent parliamentary rules. This action in the Assembly gave strength to my own conviction, that you should be called together, rather than wait until the Assembly should again convene in November next, and then initiate measures of Emancipation, which might require some time before they could have effect."

In his speech in the Convention he thus expressed himself:

"This Convention is called in this city that there should be Emancipation—*that there shall be Emancipation.*

"It is said that this is in conflict with the communication I made to this body last session. What is that communication in its general scope? I say that an answer is demanded to the offer of the General Government. The present position of the question here is such that you cannot act upon it; and why? Because you have laid it upon the table, which is a final disposition of the subject. I state reasons which you might assign as reasons for the course you adopted.

"The suggestions offered were made for the benefit of the Convention, and to make a courteous answer to the President and to Congress."

In these two extracts we have all that the Governor has said, so far as I know, in defense of his calling that Convention to act on the subject of Emancipation. The singular vapidness of the latter will attract attention. It gives no answer to the charge of inconsistency, takes back nothing, explains nothing. His justification, if any, is to be found in the passage quoted from his message to the Convention; and let us examine that.

He says he called the Convention together, because, *first*, in his judgment, "very speedy action" was demanded; *second*, because the Senate had, by a majority of two votes, passed a resolution requesting him to do so; *third*, because the Senate had passed a bill for the election of a new Convention, provided the old one did not, before the first of July, 1863, adopt a scheme of Emancipation; and *fourth*, because the friends of Emancipation in the House exhibited the greatest earnestness in endeavoring to have that bill acted upon by the House.

My friends, I confess to a feeling of sadness and humiliation at such an exhibition on the part of one so high in station, for whom, for more than a quarter of a century, I had entertained the highest respect. Never before, probably, did a high public officer in this country more expose himself to criticism and condemnation, than did Governor Gamble in that assignment of reasons for that act. The utter insufficiency, the absolute puerility of such a defense, must be apparent to the most limited comprehension. Nay, more and worse, does it not bear the plainest marks of insincerity? Why was "very speedy action" necessary? What circumstances forbade that Emancipation should be postponed until the people could act upon it through a new Convention? He states none, nor can any man designate any. But if they existed when he issued his call on the 15th of April, they must have existed before the adjournment of the Legislature on the 23d of March: why, if there was such urgency, did he not communicate it to that body, and let it provide for the exigency? The old Convention was elected twenty-eight days, and assembled thirty-eight days, after the passage of the act authorizing it; what was to prevent a like promptness in the election and assembling of a new Convention? Had the Legislature passed an act to call a new Convention, it might have met, passed an Ordinance of Emancipation, and adjourned, before the day he fixed for the old Convention to assemble; and so the "very speedy action" would have been had, sooner than it was had at the hands of the body which assembled in obedience to his sole will. As to the reasons based on the proceedings in the two branches of the General Assembly, they are not worthy of argument or notice. To the whole batch I simply oppose his own declaration, in 1862, "*that the people in choosing the Convention never intended or imagined that the body would undertake any social revolution wholly unconnected with the relations between the State and the general Government;*" and his still more emphatic announcement, in the same paragraph, that "*no person who understands the principles of our Government would object to such action* [*as that upon Judge Breckinridge's Ordinance,*] *unless it be one who is willing*

TO DISREGARD ALL PRINCIPLE *to accomplish a desired end.*" Let Governor Gamble reconcile himself with himself, if he can. If he can escape his own denunciation, it is more than I could, were I in his position.

But not alone on the grounds so stated by Governor Gamble was it a wrong to the loyal people of Missouri to summon that Convention to the great work of Emancipation. Even if those grounds had not existed, there were others which made it offensive and injurious to the people for that body to handle that great subject. Elected in February, 1861, it was, in no respect, except in the persons of the eleven members elected in May and June, 1863, to fill vacancies, an authentic exponent of the public sentiment of Missouri when it assembled to make its final record. *The constituency of* 1863 *was, in law and in fact, wholly different from the constituency of* 1861. The Convention itself, in June, 1862, had prescribed new conditions for the exercise of the elective franchise, requiring the taking of a solemn and searching oath of allegiance, and expurgation from complicity in the rebellion after the 17th of December, 1861, as a pre-requisite to the right of voting. Every man who would not take that oath was banished from the polls, was disfranchised as a voter, was not one of the people whose will was to be considered. The control of the State had passed, by fundamental constitutional enactments, into the hands of its loyal people, or those who would stand that test of their loyalty. That Convention, therefore, was no embodiment or representative of the will of the rightful constituency of 1863, but of a former and a different constituency; a large proportion of which was then in the armies of the rebellion, or pursuing the bloody work of the bushwhacker, or sulking at home in self-imposed abstinence from the right of suffrage, because it dared not appeal to God to witness its freedom from the stain of treason, or the sincerity of its allegiance to the noblest Government He ever vouchsafed to man. When, therefore, the Governor convened that body to perform the glorious work of Emancipation, he convened a body which, whatever its legal power, had no more *moral right* to do that work, without submitting its action to the present constituency, that is, the *loyal* people of Missouri, than the Legislature of Maine or Oregon would have had.

Not only so, but more. It was a body which had shown itself, a year before, opposed to the consideration even of the subject of Emancipation, and it has never signified that its feelings had changed on that point. True, it ordained what it termed Emancipation; but not because it desired or favored that great measure; but because it was resolved to prevent its accomplishment by, and according to the desire of, the loyal people of the State. No man lives who dares affirm that a majority of that Convention were for Emancipation on principle, from conviction, or in feeling. It was essentially a pro-Slavery body. Of the fifty-one members who voted for the ordinance passed, forty were slaveholders; a few of whom should be honored for their advocacy of the cause of Freedom for its own sake; all the rest were but *playing a part*. And it was a body, the control of which was in the hands of men whose past acts there gave evident token of disloyalty. *Eighteen were there, who voted in July*, 1861, *against the deposition of Governor Jackson;* and sixteen of them—all who were present at the time, and more than enough to have changed the result in each case—voted, in 1863, against an election of a Governor and other State officers by the people, and for the exemption of slave property from taxation; and eight of them—more than enough to have changed the result—against submitting the ordinance of Emancipation to the people for ratification. Twenty-one were there, who voted, in 1861, against turning out the traitorous Legislature of that year. Sixteen were there, who voted against the abrogation by the Convention of the treasonable laws enacted by that Legislature. Twenty-two were there, who voted against the test-oath ordinance of June 10, 1862, intended to exclude traitors from the polls. Sixteen were there, who had voted against allowing our brave soldiers to vote in their camps beyond the limits of the State. The efficient control, in fact, was in the hands of those who had in such ways signalized their disloyalty; aided by seventeen, who were bound to the Gamble dynasty by offices of trust and profit received from it. And this was the body which, as Colonel Doniphan said at Liberty, after its adjournment, was convened by Governor Gamble, on the request of "certain *wealthy slaveholders* residing in different parts of the State." For what purpose? To ordain Emancipation according to the will of the State's loyal people? No; but that "*something should be done to save slave property from utter waste and spoliation, and give to slaveholders a brief opportunity to make the best disposition in their power of their slaves!*"

From such a body, convened on such a principle, controlled by such influences, and working to such ends, what could be expected, other than has been realized? Called ostensibly to destroy Slavery, it labored disloyally for its preservation from the early doom which the loyalty of Missouri, if it could have spoken, would have awarded it, and postponed Eman-

cipation, nominally, until the 4th of July, 1870, but in fact for a quarter of a century longer.* While there were those who desired and labored for Emancipation for its own sake, and for the sake of Missouri and the Union, the potential influence was, at heart, against Emancipation on any grounds, and equally against every radical measure against Slavery anywhere. Few there yielded their pro-Slavery views in obedience to the anti-Slavery sentiments of their people; but there were numbers there who knew that they utterly misrepresented the popular will in the districts whence they came. Nothing concerning the body was more true or more apparent, than that, pretending to favor Emancipation, it was resolved to postpone it to the last possible moment, and to yield it on the least possible injurious terms to the slaveholder. And even that was done with the open avowal by some, that before the period fixed for the emancipation of the negro from slavery, and his transmission to a condition of servitude, *the people would elect three Legislatures;* justifying the inference that, before that period should arrive, the work of the Convention might be repealed. Of Emancipation obtained at the hands of such a body, in the form it was pleased to grant,—pro-Slavery Emancipation, if such a solecism is allowable,—Governor Gamble was the chief engineer; showing himself still, to my mind, to be, as he was in 1861, Missouri's pro-Slavery Governor. True, the date he at one time proposed for Slavery to cease, nominally, in Missouri, was not that finally fixed; but even in the same breath that he expressed himself as desiring the 4th of July, 1867, he announced with remarkable accommodativeness, "I am willing to receive *any* action that, in *your* judgment, is best." But some action he was resolved should be had, then and there, and he staked his official position as Governor upon it. In his speech to the Convention, on the 27th of June, this paragraph occurs:

"If, after having exercised my best judgment upon this subject, I have called this Convention together for the purpose of action, and it should separate with the expression of a contrary opinion, or without adopting any scheme of Emancipation, I would not feel myself at liberty to continue in the exercise of the Executive function. I would feel, as a Minister in England, when a proposition of his is voted down in the Commons, that it is a denial of the correctness of his judgment as to the proper policy of the State, and he resigns at once; so I would not feel at liberty to continue in the Executive office, if the Convention did not pass some scheme of Emancipation; because it would be a judgment adverse to what I think should be the policy of the State."

And the pro-Slavery Convention, the balance of power in which was held by men whose past acts there proclaim them disloyal at heart, bowed to the Governor's demand for "*some* scheme of Emancipation," because his continuance in office was necessary to them and their plans, and the price of it was *any* scheme of Emancipation *they* might choose to adopt! Easy terms! facile Governor! pliant Convention! and all that "something should be done to save slave property from utter waste and spoliation, and give to slaveholders a brief opportunity to make the best disposition in their power of their slaves!"

Had Governor Gamble been half as solicitous for the people's approval of his administration, as he was for the Convention's—half as fearful of a popular "denial of the correctness of his judgment as to the proper policy of the State," as he was of such a denial by the Convention, he would have been a wiser man and a better Governor. He would then have known that the loyal people of Missouri long ago abandoned all hope of him as a defender and supporter of true, uncompromising loyalty in our distressed and ravaged

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* Having, in a speech at St. Louis, on the 9th of July last, discussed the terms of the Ordinance passed by the Convention, it is sufficient here to present the Ordinance itself, which is as follows:

AN ORDINANCE to provide for certain amendments to the Constitution, and for Emancipation of Slaves.

Be it ordained by the people of the State of Missouri in Convention assembled:

SEC. 1. The first and second clauses of the 26th section of the third article of the Constitution are hereby abrogated.

SEC. 2. That slavery and involuntary servitude, except for the punishment of crime, shall cease to exist in Missouri, on the fourth day of July, 1870; and all slaves within the State, at that day, are hereby declared to be free; *Provided, however*, that all persons emancipated by this ordinance shall remain under the control, and be subject to the authority of their late owners, representatives and assigns, as servants, during the following period, to-wit: those over forty years of age, for and during their lives; those under twelve years of age, until they arrive at the age of twenty-three years; and those of all other ages, until the fourth day of July, 1876. The persons, or their legal representatives, who, up to the moment of emancipation, were the owners of the slaves thereby freed, shall, during the period for which the services of such freed men are reserved to them, have the same authority and control over the said freed men, for the purpose of securing the possession and services of the same, that are now held absolutely by the master in respect of his slave: *Provided, however*, that after the said fourth day of July, 1870, no person, so held to service, shall be sold to a non-resident of, or removed from, the State of Missouri, by the authority of his late owner, or his legal representatives.

SEC. 3. That all slaves hereafter brought into this State, and not now belonging to citizens of this State, shall thereupon be free.

SEC. 4. All slaves removed by consent of their owners to any seceded State, after the passage by such State of an act or ordinance of secession, and hereafter brought into this State, by their owners, shall thereupon be free.

SEC. 5. The General Assembly shall have no power to pass laws to emancipate slaves, without the consent of their owners.

SEC. 6. After the passage of this ordinance, no slaves in this State shall be subject to State, county or municipal taxes.

State; and that since what he deemed "the proper policy of the State" has been inaugurated by him, *there is not a disloyal man or woman in all Missouri that is not his backer.* Truly, "the laborer is worthy of his hire," and the Governor has received his. He enjoys position, power, influence, but at what a terrible price! But all his other mispolicies are of transient moment, compared with that upon which he put his hazard in that Convention. Almost the life-breath of Missouri hung upon action there. His influence shaped that action, not for the cause of Emancipation and the Union,—one and the same in Missouri—but for Slavery, the Union's enemy, and for slaveholders, almost all its enemies, too. He lent the weight of his age and office, his name and his personal character, to a scheme for the support of Slavery, and the overthrow of the great loyal party in Missouri, and in that Convention he won, but lost all with loyal Missourians. To a man hastening on to threescore and ten and the grave, what earthly gain can overbalance such a loss?

I have thus, my friends, endeavored to place before you the circumstances of the wrongs suffered by the loyal people of Missouri through the policy of Governor Gamble, and the acts of the dead Convention, which he—the only man on earth that could do it—called to life again. In all American history there is no parallel to it, except in some of those Southern States, where secession and rebellion were forced upon the people by the aristocrats of Slavery. Thank God! however, there is virtue enough left in the loyal people of Missouri to raise their voice against the attempt to trample upon their most sacred rights. They raise it here to-day; not in revolutionary shouts, not in sedition, not in disregard of law, not in derogation of the duties of true citizenship, not in any unlawful or unauthorized way; but with the high and holy purpose that despotism shall be forced to recoil before the moral power of an aroused people. We are here to speak, to judge, and to do what becomes freemen, in a manner suited to freemen. The cry of the arch-traitor was, "*All we ask is to be let alone!*" and the pro-Slavery emancipationists of the defunct Convention shout the same cry. But they are not to be let alone. They are to be made to feel that they cannot commit treason against Popular Sovereignty, and be let alone. They are to learn that there is a People, to whom they are accountable, and upon whose necks they cannot put their feet with impunity. They are to be taught that they cannot snatch the work of Missouri's regeneration out of the hands of her loyal men, and then sing them to sleep. They are to understand that their work is rejected by the people, and they, too. They ask us to accept their ordinance as a finality: we do accept it as a finality—*of them!* But, conceived, as it was, in wrong to the people; planned, as it was, in the interest of slavery; brought forth, as it was, by a body which was so conscious of its wrong, that it refused to let the people pass upon it, avowing through their leaders that the people would reject it: and upheld, as it is, by every rebel, secessionist, bushwhacker, and Copperhead in the State; we, loyal men of Missouri, who love our country more than Slavery—who have borne patiently all that has befallen us, for the sake of the Union—who have consecrated our all to the maintenance of that Union against all enemies—and who are determined, come what may, to rebuke, denounce, and overthrow disloyalty, whatever form or guise it may assume—*we* REJECT *that Ordinance as a finality of* THE QUESTION. We, and our brethren in loyalty in Missouri, are able to manage the affairs of Missouri, and we will do it. We ask no interference or help from traitors or their friends, in office or out. We will bide our time, as loyal men should, looking for the day of deliverance. It will surely come. This is the day of the office-holders and the politicians, the rebels and their sympathizers, the pro-Slavery men and their courtiers; the day of the PEOPLE will come, and with it confusion, dismay, and defeat to all who have dared to take part in the attempt of that Convention to dominate Missouri in the interest of Slavery. Let it not be said, as Mr. Henderson is reported to have said, that the Ordinance is the best that could be procured *under the circumstances!* Who made the circumstances? Who but he and those who acted with him? And shall they make the circumstances, and then plead them in their own extenuation? Let them stand aside, and the people will make other circumstances, from which something better will come forth, of measures and of men.

Let us not, my friends, lose sight of the great and vital truth, that not only is this a struggle for Popular Sovereignty, but for *loyal supremacy in Missouri.* In that view no man can compute its importance to us as a people. If we sleep now, all is lost. The loyal men of Missouri are her rightful sovereigns. If true to themselves and to the great cause which in the providence of God is committed to their keeping, all will be well. Missouri loyalty has become an honored name in the land. It imports all of dauntless bravery, stern resolution, and heroic fortitude, that could illustrate the character and glorify the history of any people. Let us be true to our record and our fame, through to the end. If we have no country, we are wanderers;

if we have no Government, we are a prey to tyrants; if we have no Union, we have neither country nor Government. All lives or dies with the Union. Let our souls cling to it, our fortunes sustain it, our hands uphold it, and, if need be, our blood flow for it. For nearly three years we have had to defend it. Let us defend it thrice three more, if such be the will of God; defend it against the traitor in arms and the traitor in heart; against the open and the secret foe; against the wily politician, the cunning plotter, the unscrupulous schemer, though he wrap himself in the bright folds of the Stars and Stripes; against perfidy, treachery, and disloyalty in every form, everywhere, always, to the glorious end that awaits us, if we are true. This our work is not in the South—it is here, in Missouri. We are beset on every side by the armed rebel, the prowling bushwhacker, the Southern sympathizer, the devotee of Slavery, all, openly or covertly, the Union's enemies. And they are ours, too. They are striving for the mastery in Missouri. The calling of that Convention to ordain Emancipation was a part of their game. The next move will be to secure a Legislature that will repeal the test-oath ordinance, which excludes them from the polls; and then will come the reign of disloyalty, the repeal of Emancipation, the triumph of Slavery, the hunting down and driving out of Union men—all, all will come. Meet the issue here and now. Proclaim that Loyalty *shall* govern Missouri. Demand of the General Assembly a law authorizing the election of a new Convention, wherein the people, not politicians and office-holders, shall speak. Demand that the people be permitted to elect their own rulers. Demand Emancipation, *immediate*, *unconditional*, *final*. Demand the perpetual disfranchisement of every man who has taken part, here or elsewhere, in this damnable rebellion. Enforce your demand by every lawful agency, device, and influence, with energy and fidelity, with firm confidence and steady perseverance; and there is no power on earth that can resist you. Justice and right are with you; every loyal heart in the land is with you; the great and precious principles of free government are with you; the mighty People are with you; and, in the not distant future, victory will be with you, and defeat and oblivion with all in Missouri who oppose the sacred cause of Popular Sovereignty and the Union. [Immense cheering.]

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